

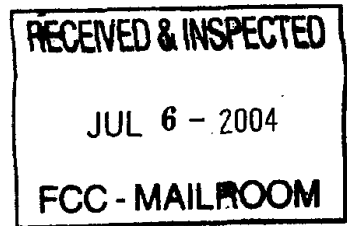
DOCKET FILE COPY ORIGINAL

TO: FCC, Office of the Secretary

June 29, 2004

From: Colton School District No53

RE: CC Docket No. 02-6;
Appeal to SLC Decision Letter Dated June 23, 2004
Attached

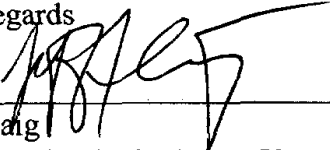


Dear Secretary, I am asking that you overturn the decision to deny funding to Colton School District for the following reasons:

1. The first Funding Request Rejection Letter was received by the District on April 23, 2004, which gave the District 60 days in which to appeal. That appeal was sent to the SLC on April 28, 2004 and received by the SLC on May 3, 2004.
2. The Administrator's Decision on Appeal – Funding Year 2004-2005 was received on June 23, 2004. This letter stated that Colton School District had not responded within a timely manner and was denied in full on that basis. Colton School District was well within the time frame allowed by the SLC for the Appeal. I believe that this is an over-site by the SLC.
3. The corrections needed in order to make the Form 471 viable were slight and easily correctable

I have attached the letters sent to and received by the SLC in regards to this issue.

My Regards



Jeff Flaig
Colton School District No53
30429 S Grays Hill Rd
Colton, OR 97017
1-503-824-3535

No. of Copies rec'd _____
List ABCDE _____

TO: USAC

From Jeff Flaig
Colton School District No 53
40329 S Grays Hill Rd
Colton, OR 97017
Voice 1-503-824-3535, FAX 1-503-824-3530
flaigj@mail.clackesd.k12.or.us

RE: **LETTER OF APPEAL --**
Block 5 Funding Request Rejection Letter
From 471 Application Number: 434227

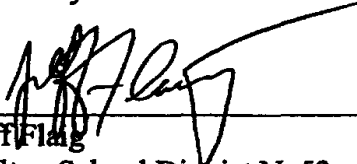
I would like to appeal the decision letter dated April 23, 2004 for funding year (July 1, 2004 – June 30, 2005). Apparently, Colton's form 471, block 5 funding request did not meet funding processing standards for the following reason(s): Block 5, Item 11, Category of Service was left blank for billed entity AT&T, SPIN# 143001192, and Block 5, Item 11, Category of Service was left blank for billed entity Colton Telephone, SPIN# 143002616, on form 471 with application number 434227. This was an oversight when I filled out the application. I originally started the application online, but I could not retrieve the Form 471 Pre-Discount Cost Calculation Optional Grid from the net. So, I redid the form by hand, and in so doing I neglected to fill in Block 5, Item 11, for both entities. It was apparently an oversight. I am asking that you reconsider your decision with the following corrections:

Block 5, Item 11, Category of Service, should be "Telecommunications Service" for AT&T, SPIN # 143001192

Block 5, Item 11, Category of Service, should be "Internet Access" for Colton Telephone, SPIN # 143002616

Please forgive my oversight, and note that I am authorized to discuss this matter with the USAC-SL Division

Sincerely



Jeff Flaig

Colton School District No53

Please find attached a copy of the first page of the FCDL for your reference



Universal Service Administrative Company
Schools & Libraries Division

BLOCK 5 FUNDING REQUEST REJECTION LETTER
FUNDING YEAR 2004 (July 1, 2004 - June 30, 2005)

April 23, 2004

JEFF FLAIG
COLTON SCHOOL DISTRICT NO 53
30429 S GRAYS HILL RD
COLTON, OR 97017

Re: Applicant's Form Identifier:
Form 471 Application Number: 434227

Dear JEFF FLAIG:

This letter is to notify you that one or more of your Services Ordered and Certification Form 471, Block 5 Funding Requests did not meet Minimum Processing Standards or did not comply with program rules. The Funding Requests cited below have been rejected and have not been entered into the SLD system. You may also wish to contact your Service Provider to let them know the status of this Funding Request.

Other Funding Requests that are not cited below will be processed and should not be resubmitted.

BLOCK 5 FUNDING REQUEST:

Category of Service (Block 5, Item 11):	NOT PROVIDED
Service Provider Identification Number (SPIN) (Item 13):	143001192
Service Provider Name (Item 14):	AT&T
Funding Commitment Request (Item 23, Column K):	\$7,200.00
Rejection Reason: Item 11, Category of Service, is blank.	
Category of Service (Block 5, Item 11):	NOT PROVIDED
Service Provider Identification Number (SPIN) (Item 13):	143002616
Service Provider Name (Item 14):	COLTON TELEPHONE
Funding Commitment Request (Item 23, Column K):	\$3,060.00
Rejection Reason: Item 11, Category of Service, is blank.	

TO APPEAL THIS DECISION:

If you wish to appeal the decision indicated in this letter, your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. In your letter of appeal:

1. Include the name, address, telephone number, fax number, and e-mail address (if available) for the person who can most readily discuss this appeal with us.

2. State outright that your letter is an appeal. Identify which Funding Commitment Decision(s) you are appealing. Indicate the relevant funding year and the date of the FCDL. Your letter of appeal must also include the Billed Entity Name, the Form 471 Application Number, and the Billed Entity Number from the top of your letter.

3. When explaining your appeal, copy the language or text from this letter that is at the heart of your appeal to allow the SLD to more readily understand your appeal and respond appropriately. Please keep your letter to the point, and provide documentation to support your appeal. Be sure to keep copies of your correspondence and documentation.

4. Provide an authorized signature on your letter of appeal.

If you are submitting your appeal on paper, please send your appeal to: Letter of Appeal, Schools and Libraries Division, Box 125 - Correspondence Unit, 80 South Jefferson Road, Whippany, NJ 07981. Additional options for filing an appeal can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We encourage the use of the electronic filing options.

While we encourage you to resolve your appeal with the SLD first, you have the option of filing an appeal directly with the Federal Communications Commission (FCC). You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company



Schools and Libraries Division
P.O. Box 7026
3833 Greenway Dr.
Lawrence, KS 66044-7026

COLTON SCHOOL DISTRICT NO 53
ATTN: JEFF FLAIG
30429 S GRAYS HILL RD
COLTON, OR 97017



Universal Service Administrative Company
Schools & Libraries Division

May 5, 2004

Jeff Flaig
Colton School District No. 53
40329 S. Grays Hill Road
Colton, OR 97017

The Schools and Libraries Division of the Universal Service Administrative Company has received your correspondence on May 3, 2004 regarding the 2004-2005 funding decision on your 471 application 434227. These are the steps that will now follow:

1. We will review your correspondence carefully to identify the specific issue(s) it raises.
2. We will consult the program integrity assurance records and all supporting documentation for the application. Our goal is to determine whether the program rules were administered appropriately in processing your application.
3. Once the review process is completed we will respond in writing and state whether your appeal is approved, denied or approved in part. We will then follow with a funding commitment decision letter for any approved appeal resulting in additional discounts for your application. Funds have been set aside to implement funding decisions for appeals approved by the SLD and/or the Federal Communications Commission.

We have begun an in-depth review of the appeals we have received, and our goal is to respond to you as promptly as possible. We thank you in advance for your patience as we handle your case with the care and attention it deserves.

Schools and Libraries Division
Universal Service Administrative Company



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal - Funding Year 2004-2005

June 23, 2004

Jeff Flaig
Colton School District No. 53
40329 South Grays Hill Road
Colton, OR 97017

Re: Billed Entity Number: 144828
 471 Application Number: 434227
 Funding Request Number(s): 1209398
 Your Correspondence Received: May 3, 2004

After thorough review and investigation of all relevant facts, the Schools and Libraries Division ("SLD") of the Universal Service Administrative Company ("USAC") has made its decision regarding your appeal of the SLD's Funding Year 2004 Form 471 Rejection Letter for the application number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day period for appealing this decision to the Federal Communications Commission ("FCC"). If your letter of appeal included more than one application number, please note that for each application an appeal is submitted, a separate letter is sent.

Funding Request Number: 1209398
Decision on Appeal: **Denied in full**
Explanation:

- On appeal, you seek reversal of the SLD's decision to reject the Form 471 for failure to meet minimum processing standards. Specifically, the categories of service (Block 5, Item 11) for service providers AT&T and Colton Telephone were blank. While you acknowledge that the error was an oversight, you include the following corrections in your Letter of Appeal: Block 5, Item 11, Category of Service for AT & T should read "Telecommunications Service; and Block 5, Item 11, Category of Service for Colton Telephone should read "Internet Access." Finally, you ask that the SLD accept the corrections and reconsider its decision to reject the Form 471 application.
- Upon thorough review of the appeal letter and relevant documentation, we find the Form 471 categories of service (Block 5, Item 11) for service providers AT&T and Colton Telephone were submitted blank. As a result, the Form 471 was rejected for failure to meet minimum processing standards. Forms 471 that do not meet minimum processing standards are not considered for funding. Although on appeal

you include a statement of the correct categories of service, program rules require that in order to receive consideration within the Funding Year 2004 window, completed Forms 471 must be received by the SLD or postmarked no later than February 4, 2004; your Letter of Appeal is postmarked April 28, 2004. Furthermore, it is the responsibility of the applicant to ensure that all forms are correct and submitted to the SLD in a timely manner. Consequently, the funding request will not be data entered and the appeal is denied.

If you believe there is a basis for further examination of your application, you may file an appeal with the Federal Communications Commission. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience, and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company